

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MEREDITH CHADWICK RAY and))	
PHILLIP RAY,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.: 3:07CV175-WHA
)	
FORD MOTOR COMPANY,)	
)	
Defendant.)	

MOTION FOR PROTECTIVE ORDER

COMES NOW the Defendant, FORD MOTOR COMPANY, and moves this Court to enter a Protective Order in this case and shows unto the Court as follows:

1. The suit in question claims a product defect in a 2002 Mercury Mountaineer (VIN 4M2ZU66W02UJ37911). The incident in question occurred on or about April 21, 2006 in Lee County, Alabama.

2. Irreversible prejudice would be rendered in this case if the automobile in question were sold, changed, altered, repaired, tested or disposed of prior to the disposition of this litigation and prior to the disposition of the claims made by the Plaintiffs against this Defendant.

3. Defendant's counsel sent correspondence to Plaintiffs' counsel on May 7, 2007 requesting voluntary agreement and consent to the entry of the proposed Protective Order (attached as Exhibit "A"). As of today's date Plaintiffs' counsel has not responded to Defendant's counsel regarding this issue.

WHEREFORE, PREMISES CONSIDERED, this Defendant moves this Court to enter an Order prohibiting the parties, the parties' representatives, attorneys, agents, witnesses, or any other person from disposing of, selling, repairing, altering, changing, testing, or in any way materially affecting the 1998 Ford Explorer made the basis of this suit or any parts, portions, or pieces thereof.

s/Bradley J. McGiboney
D. Alan Thomas (dat@hfsllp.com)
Bradley J. McGiboney (bjm@hfsllp.com)
Attorneys for Defendant
FORD MOTOR COMPANY

OF COUNSEL:

Huie, Fernambucq & Stewart, LLP
Three Protective Center
2801 Highway 280 South, Suite 200
Birmingham, Alabama 35223
(205) 251-1193

CERTIFICATE OF SERVICE

I hereby certify that I have this date electronically filed the foregoing document with the Clerk of Court using the CM/ECF system to the following CM/ECF participants:

D. Michael Andrews, Esq.
BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.
P.O. Box 4160
Montgomery, Alabama 36104

This 27th day of June, 2007.

s/Bradley J. McGiboney
Of Counsel

**IN THE UNITED STATES DISTRICT COURT
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MEREDITH CHADWICK RAY and)		
PHILLIP RAY,)	
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)	
FORD MOTOR COMPANY,)	
)	
Defendant.)	

ORDER

The Defendant, FORD MOTOR COMPANY, filed herein a Motion for Protective Order. Upon consideration of the matters contained in the Defendant's motion, and for good cause shown, it is

ORDERED that said Motion be and hereby is GRANTED. It is further ORDERED that the Parties, the Parties' representatives, attorneys, agents, witnesses, or any other person or party are hereby prohibited from disposing of, selling, repairing, altering, changing, testing, or in any way materially affecting the subject 2002 Mercury Mountaineer (VIN 4M2ZU66W02UJ37911) made the basis of this suit or any parts, portions or pieces thereof.

DONE and ORDERED this ____ day of _____, 2007.

UNITED STATES DISTRICT JUDGE

HUIE, FERNAMBUCQ & STEWART, LLP

ATTORNEYS AT LAW

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THOMAS B. HUIE
1915-1990
WILLIAM B. FERNAMBUCQ
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May 7, 2007

D. Michael Andrews, Esq.
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RE: *Meredith Chadwick Ray and Phillip Ray v. Ford Motor Company*

Dear Mike:

Per my telephone voicemail left on March 26, 2007, I am enclosing a draft copy of a Motion for Protective Order for the subject 2002 Mercury Mountaineer (VIN 4M2ZU66W02UJ37911), as well as a Motion for a HIPAA Order. Please let me know if you have an objection to either of these Motions or whether we can file these as joint motions.

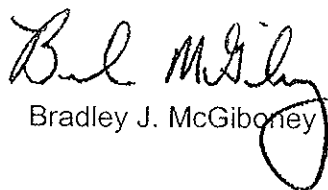
I look forward to working with you in this case. If you have any questions or comments, do not hesitate to contact me at the above number.

With best regards, I am

Sincerely yours,

HUIE, FERNAMBUCQ & STEWART, LLP

By:


Bradley J. McGiboney

BJM/mab

Enclosures

cc: D. Alan Thomas, Esq.

EXHIBIT "A"